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5 **UNITED STATES DISTRICT COURT**
6 **NORTHERN DISTRICT OF CALIFORNIA**
7 **OAKLAND DIVISION**

8 ROXANA DEL TORO LOPEZ and ANA
9 MEDINA, on behalf of themselves, and all
10 others similarly situated,

11 Plaintiffs,

12 v.

13 UBER TECHNOLOGIES, INC.,

14 Defendant.
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Case No. 4:17-cv-06255-YGR

**DECLARATION OF
JENNIFER M. KEOUGH
REGARDING POST-DISTRIBUTION
ACCOUNTING**

1 I, JENNIFER M. KEOUGH, declare and state as follows:

2 1. I am Chief Executive Officer at JND Legal Administration (“JND”). The following
3 statements are based on my personal knowledge and information provided to me by other JND
4 employees working under my supervision and, if called on to do so, I could and would testify
5 competently thereto.

6 2. JND is serving as the Settlement Administrator in the above-captioned litigation
7 (“Action”) for the purposes of administering the Stipulation of Class Settlement and Release
8 (“Settlement Agreement”) approved by the Court in its November 14, 2018 Order Granting Final
9 Approval of Settlement and Final Judgment (“Order”).

10 3. JND is a legal administration services provider with its headquarters located in
11 Seattle, Washington. JND has extensive experience in all aspects of legal administration, and has
12 administered settlements in hundreds of cases.

13 **SETTLEMENT FUND**

14 4. On November 21, 2018, JND received a wire from the Defendant in the amount of
15 \$10,381,463.96.

16 **PAYMENTS FROM SETTLEMENT FUND**

17 5. On December 18, 2018, JND issued the following payments from the Settlement
18 Fund:

19 A) Payments totaling \$2,652,958 to Plaintiffs’ Counsel representing their fees and
20 expenses in the settlement;

21 B) Payments totaling \$80,000 to the Class Representatives for their service to the
22 Class; and

23 C) A payment of \$37,500 to the California Labor & Workforce Development Agency
24 for PAGA penalties; and

25 **CLASS MEMBER BENEFIT DETAILS**

26 6. Per the Court’s Order and the Parties’ Settlement Agreement, on December 18, 2018,
27 JND mailed a total of 483 distribution checks totaling \$6,002,079.85 in net settlement and PAGA
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1 funds to the 483 Class Members in the Settlement. The average check value was \$12,426.67, the
2 median was \$8,516.67, and the range was \$105,266.77 to \$22.58.

3 7. Additionally, beginning on December 18, 2018, JND managed the payment and
4 reporting of taxes totaling \$1,499,894.66 to the various related federal and state agencies.

5 8. Where Class Members have contacted JND after JND issued the checks, JND has
6 updated its records and re-mailed benefit checks as necessary. JND has also researched new
7 addresses for any checks returned as undeliverable, and re-mailed checks to the updated addresses
8 obtained from the research.

9 9. The Class Member checks are valid for 180 days after issuance, becoming void on
10 June 16, 2019. As of January 8, 2019, Class Members have successfully negotiated 277 of the 483
11 issued checks, totaling \$3,620,667.83. Thus, 206 checks remain uncashed, totaling \$2,381,412.02.

12 10. In the time since the Court has granted final approval to the settlement, JND has
13 received 68 inquiries from Class Members related to the receipt of the benefit checks. JND has
14 resolved all such inquiries. JND has not received any other recurring or significant inquiries
15 regarding the settlement.

16 **FEES AND COSTS**

17 11. As of January 8, 2019, JND has accrued \$89,376 worth of fees and costs
18 administering the settlement. JND expects to accrue an additional \$19,655 before settlement
19 administration is complete.

20 **HANDLING OF UNCLAIMED FUNDS**

21 12. JND will make its best efforts to ensure that all of the checks distributed to Class
22 Members are cashed before their June 16, 2019 expiration date, including attempting to contact by
23 phone and/or email any class members whose checks remain uncashed by that date. Pursuant to the
24 terms of the Settlement Agreement, any funds remaining after this time will be divided equally
25 between Girls Who Code, the Mexican American Legal Defense and Educational Fund
26 (“MALDEF”) and the NAACP Legal Defense and Educational Fund.
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Executed on January 9, 2019, at Seattle, Washington.

Jenn. J. M. Kearsh

JENNIFER M. KEOUGH